

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:08CR3064
	)	
Plaintiff,	)	<b>MEMORANDUM</b>
v.	)	<b>AND ORDER</b>
	)	
BERNE PERKINS,	)	
	)	
Defendant.	)	

This matter is before the court on a report and recommendation by Magistrate Judge Piester, recommending that the defendant's motion to suppress and motion to dismiss be denied. The defendant has filed a statement of objections pursuant to [NECrimR 57.3](#) and [28 U.S.C. § 636\(b\)\(1\)](#).

I have conducted a de novo review of the record. I find that inasmuch as the magistrate judge has fully, carefully, and correctly found the facts and applied the law, the report and recommendation should be adopted, the statement of objections should be denied, and both motions should be denied. Accordingly,

IT IS ORDERED that:

1. the magistrate judge's report and recommendation ([filing 30](#)) is adopted;
2. the defendant's statement of objections ([filing 32](#)) is denied;
3. the defendant's motion to suppress ([filing 18](#)) is denied; and
4. the defendant's motion to dismiss ([filing 16](#)) is denied.

September 23, 2008.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge